THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION No : 16763 of 2005

Dated: 05-08-2005

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Between:

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C.Ranga Reddy,

Permanent F.P.Shop dealer,

Chowdapalli(v), O.D. Cheruvu (M),

Penukonda Division, Anantapur District.

Petitioner…

And

The Joint Collector, Anantapur District and others.

Respondents…

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ORDER:

Learned counsel for the petitioner submits that the 1st respondent-Joint Collector vide his order, dated 07-06-2005, while admitting the appeal, rejected the stay petition filed by the petitioner along with the appeal, challenging the suspension-cum-show cause notice order dated 07-01-2005 passed by the 2nd respondent-Revenue Divisional Officer. The order of the 1st respondent, dated 07-06-2005, is required to be challenged in view of the fact that the stay petition filed by the petitioner has been rejected, whereas the present writ petition is filed challenging the earlier proceedings, dated 07-01-2005.

Inasmuch as, the petitioner has already chosen to avail the remedy of appeal against the order dated, 07-01-2005, and had also filed a stay application along with his appeal, which stay petition was dismissed by the 1st respondent on 07-06-2005, the cause in the writ petition no longer survives and is accordingly dismissed.

However, this order shall not preclude the petitioner, if he so chooses to, from taking such action, against the order of the 1st respondent dated 07-06-2005 rejecting his stay application, as is available to him, in law. No order as to costs.

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RAMESH RANGANATHAN, J

Dated: 05-08-2005

LSK